

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ALDO VERA, JR., as Personal Representative of the
Estate of Aldo Vera, Sr.,

Plaintiff,

v.

THE REPUBLIC OF CUBA,

Defendant,

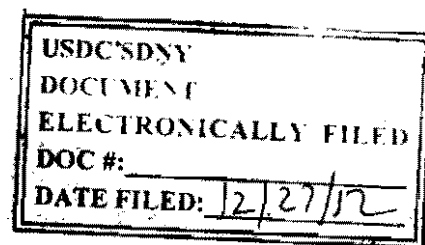
v.

SUMITOMO MITSUI BANKING CORPORATION,

Garnishee.

12 Civ. 1596 (AKH)

STIPULATION RE
TURNOVER OF PROPERTY



AND NOW, this 27 day of December 2012, counsel for Plaintiff

Aldo Vera, Jr. and counsel for Sumitomo Mitsui Banking Corporation stipulate and agree as follows:

1. Plaintiff is a judgment creditor pursuant to a Judgment entered August 20, 2012 against the Republic of Cuba pursuant to 28 U.S.C. 1605(a)(7), now 28 U.S.C. 1605A, in the amount of \$49,346,713.22.
2. The Court granted Plaintiff permission to execute on the Judgment pursuant to 28 U.S.C. 1610(c) by Order dated October 11, 2012.
3. Plaintiff served Garnishee Sumitomo Mitsui Banking Corporation with a subpoena and restraining notice to which Garnishee submitted a response.

4. Garnishee has in its custody Account No. 203792 for \$17,405.93 as of August 29, 2012 wherein the Republic of Cuba has an interest.
5. Garnishee represents that based upon its books and records Account 203792 is the only account in its custody wherein the Republic of Cuba or its agencies or instrumentalities have an interest.
6. Said Account was blocked pursuant to the Cuban Asset Control Regulations, 31 C.F.R. Part 515.
7. In accordance with Section 201(a) of the Terrorism Risk Insurance Act ("TRIA"), 28 U.S.C. 1610 note, Plaintiff may execute on blocked Cuban property in the custody of financial institutions.
8. Upon execution hereof, Garnishee will turn over to Plaintiff's counsel the proceeds of the said Account No. 203792 in the amount of \$17,405.93 together with interest posted to the Account since August 29, 2012 in partial satisfaction of the said Judgment pursuant to TRIA.
9. Upon the turnover of the proceeds, Plaintiff will vacate the notice of execution to Garnishee.

By: 

Jeffrey R. Olen
Kornblum
Anderson Kill & Olick, P.C.
1251 Avenue of the Americas
New York, NY 10020
(212) 278-1000

By: 

William Flaney
General Counsel, Americas Division
Sumitomo Mitsui Banking Corporation
277 Park Avenue
New York, NY 10172
212-224-4417

Attorney for Garnishee Sumitomo Mitsui
Banking Corporation

Robert A. Swift (*Pro Hac Vice*)
Kohn, Swift & Graf, P.C.
One South Broad Street, 21st Floor
Philadelphia, PA 19107
(215) 238-1700

Attorneys for Plaintiff Aldo Vera, Jr.

SO ORDERED:



Alvin K. Hellerstein
United States District Judge

12-27-12